

REMARKS

Claims 1, 5-14, 20-26, and 31-34 remain pending in the instant application. The Examiner has allowed claims 32-34. Claims 2-4, 15-19, and 27-30 were cancelled in previous Amendments. In the instant Amendment, claim 11 is amended to correct a grammatical error. Thus, no new subject matter has been added through this Amendment. In view of this amendment, and the subsequent arguments traversing the obviousness rejections, the Applicant respectfully asserts that all pending claims are in condition for allowance and respectfully requests such allowance.

Claims 1, 5, 7-14, 20-26, and 31 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Tanisaki et al. in view of Kolluri. The Applicant disagrees with these rejections and respectfully submits that neither reference alone, or in combination, discloses, teaches, or suggests each and every element of the instant invention. Thus, the Applicant respectfully asserts that each of the rejected claims are both novel and non-obvious.

In the previous Office Action dated October 17, 2007, the Examiner explicitly admitted on the record that “TANISAKI et al. in view of KOLLURI does not teach that the powdered substrate is on a support...” In the instant Office Action, the Examiner has re-evaluated these references and now concludes that Kolluri discloses that a “coating can be applied on stationary or moving substrates” such as films, fabrics, or webs. This conclusion is correct relative to the actual words of Kolluri. However, this disclosure still does not remedy any deficiency in the primary reference to Tanisaki and does not correlate to the positively recited elements of the instant claims.

Kolluri explicitly discloses that a film can be applied to “films, fabrics, or webs.”¹ These films, fabrics, or webs are moved through a plasma deposition zone and coated with the film.²

¹ See page 7, lines 28-29.

² See page 7, line 30.

Upon careful examination of this reference and the corresponding Figures, there are two ways to interpret this disclosure:

I. The Examiner can determine that the substrates (68, 74) of Kolluri, i.e., the films, fabrics, and webs addressed by the Examiner, are equivalent to the powdered substrates of the instant independent claims 1 and 25. This seems very far-fetched because films, fabrics, and webs are not known in the art to be the same or even remote equivalents of powdered substrates. Yet, for the sake of argument, even if the Examiner equates the films, fabrics, and webs to the powdered substrates, then Kolluri discloses that these “powdered substrate equivalents” are not supported on any reel to reel web support, as required by the instant claims. The specification of Kolluri specifically discloses that in Figure 5 “...a continuous fabric or web type *substrate* 74 is transported through a festoon type arrangement of rollers 80.” This makes it clear that, in this interpretation, Kolluri’s films, fabrics, and webs are not supported on any reel to reel support but instead are transported through the rollers themselves. Said differently, under this interpretation, Kolluri does not disclose, teach, or suggest coating any powdered substrate that is transported on a reel to reel web support. Therefore, under this interpretation, independent claims 1 and 25 are both novel and non-obvious

II. Alternatively, the Examiner can determine that the films, fabrics, and webs are equivalent to a reel to reel support itself. Said differently, these films, fabrics, and webs are themselves being moved through the rollers, as described above. Under this interpretation, Kolluri does not disclose, teach, or suggest any powdered substrates or equivalents thereof because the films, fabrics, and webs are themselves being coated.³ In other words, Kolluri still does not disclose, teach, or suggest coating any powdered substrate that is transported on a reel to reel

³ See page 7, lines 28-29

web support. Thus, even under this interpretation, independent claims 1 and 25 are both novel and non-obvious.

No matter which interpretation the Examiner picks, he cannot “have it both ways” and combine these interpretations. Either the films, fabrics, and webs are equivalent to a reel to reel support or they are equivalent to “powdered substrates.” They cannot be equated to both things at the same time. Independent claims 1 and 25 clearly set forth that powdered substrates are coated and are transported on a reel to reel web support. Kolluri either discloses an equivalent of a reel to reel support and no powdered substrate or discloses powdered substrate equivalents and no reel to reel support. Therefore, no matter which interpretation the Examiner chooses, Kolluri fails to remedy the lack of disclosure of Tanisaki et al. and these claims are both novel and non-obvious even over the combination of the two references.

Put even a different way, if Kolluri teaches powdered substrate equivalents (under the first interpretation), then Kolluri becomes, in a sense, duplicative of Tanisaki. This combination of references would still fail to disclose any powdered substrate transported on a reel to reel web support. Alternatively, if Kolluri teaches the equivalent of a reel to reel support (under the second interpretation), then this still does not bolster a determination of obviousness because this reel to reel support is itself being coated. This is totally different from the instant invention wherein a powdered substrate is coated and transported on a reel to reel web support. Thus, Kolluri does not remedy any lack of disclosure of Tanisaki. As such, under either interpretation, the combination of Kolluri and Tanisaki does not disclose, teach, or suggest each and every element of independent claims 1 and 25. There is always at least one element missing from this combination thereby rendering independent claims 1 and 25 both novel and non-obvious.

In summary, the Applicant respectfully submits that the Examiner made the correct decision in the Office Action dated October 17, 2007 wherein he allowed the pending claims. No matter which way Kolluri is interpreted, the combination of Kolluri and Tanisaki fails to disclose each and every element of independent claims 1 and 25. This means that these claims are both novel and non-obvious. This also means that the dependent claims, which depend either directly or indirectly from these claims, are also novel and non-obvious. **Therefore, the Applicant respectfully requests that each of the pending claim rejections be withdrawn and that all of the pending claims be allowed.**

This Amendment is being filed timely, thus, it is believed that no fees are presently due. The Commissioner is authorized to charge any fees or credit any overpayment to Deposit Account No. 08-2789, in the name of Howard & Howard Attorneys, P.C.

Respectfully submitted,

HOWARD & HOWARD ATTORNEYS

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Date

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